

<sup>7</sup> Motorola Waiver Request at 1.

extension through April 1, 2000.<sup>8</sup>

3. Based on the information in Motorola's letter, we find good cause to conclude that the requested waiver will serve the public interest. According to Motorola, all of its analog and multimode CDMA handsets are fully compliant with the Commission's rules regarding 911 call completion.<sup>9</sup> In addition, Motorola has made substantial progress towards achieving full compliance with its TDMA multimode handsets, prior to suffering a last minute setback. We recognize that unexpected delays can occur in the testing process and wish to allow adequate time to test and verify the performance of handset software. Inadequate testing, which could occur if testing is rushed, might fail to uncover problems that could undercut the performance of handsets, especially in emergency situations.

4. Moreover, we conclude that allowing Motorola additional time in which to comply with the rules with respect to its TDMA multimode handsets is consistent with actions we took in similar circumstances in response to requests by Nokia<sup>10</sup> and Ericsson,<sup>11</sup> and the delay in Motorola's case will be substantially briefer.<sup>12</sup> As in those cases, the Motorola software changes should further assist in achieving the goals of the Commission by extending 911 call completion improvements to digital operations. We do not wish to disrupt handset production at a time when demand for handsets continues to grow strongly. This could harm consumers through higher prices, confusion, and reduced availability of dual band, multimode handsets. Thus, to enable Motorola to incorporate modifications into its multimode TDMA handsets that will render them fully compliant with 47 C.F.R. § 22.921, we believe that it is in the public interest to grant Motorola's request for a limited extension of time. We understand that Motorola may be able to resolve its outstanding technical issues and complete the testing of the software upgrade for its TDMA multimode handsets prior to the expiration of the extension period. If this turns out to be the case, we would expect Motorola to come into full compliance with 47 CFR § 22.291 as soon as possible.

5. Accordingly, IT IS ORDERED that Motorola's request for waiver of Section 22.921 of the Commission's Rules IS GRANTED through April 1, 2000.

Thomas J. Sugrue  
Chief, Wireless Telecommunications Bureau

---

<sup>8</sup> Motorola February 17 Letter at 2.

<sup>9</sup> *See id.*

<sup>10</sup> *See 911 Call Processing Modes*, WT Docket No. 99-328, DA 00-132 (released January 28, 2000)

<sup>11</sup> *See 911 Call Processing Modes*, WT Docket No. 99-328, DA 00-253 (released February 11, 2000).

<sup>12</sup> Nokia's waiver expires on May 28, 2000, Ericsson's on May 18, 2000 and Motorola's, under this order, on April 1, 2000.